

Please amend the application as follows.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.-11. (Canceled)

12. (Currently Amended) A monoclonal ~~Monoclonal~~ antibody as deposited under DSM ACC 2457.

13. (Currently Amended) A method for identifying the presence of a cancer cell comprising: (a) providing a tissue biopsy sample; and (b) determining the level of expression in the tissue biopsy ~~said~~ sample of the protein consisting of the amino acid sequence (SEQ ID NO: 2):

MAAAEGPVGDELWQTWLPNHVVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVF
GLGGELFLWDGEDSSFLVVRLRGPGSGGGEPPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLM
VLELPKRWVGKNSEFEGGKSTVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVLLTSDNVIRIYSL
REPQTPTNVIIILSEAEESLVLNKGRA YTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYILY
ENGETFLTYISLLHSPGNIWKA VGSIAHASAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVVLE
GEEEDDHTSEKSWDSRIDLIPSLYVFECVELELALKLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHE
AGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTM
ICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAETPDSFEKHRSILQRSVANPAFLKASEK
DIAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKKQLEDLSYCREERKSLREMAER
LADKYEEAKEKQEDIMNRMKKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHLGNAIKQVTMKKDY
QQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF,

by using the monoclonal antibody deposited under DSM ACC 2457, which binds to the protein, wherein the tissue biopsy sample comprises a cancer cell if the expression level of the protein ~~a sample comprising said protein at a level of expression that is greater than the expression level of that protein in healthy or normal control tissue non-cancer cells indicates that said sample comprises a cancer cell.~~

14. (Previously Presented) The method according to claim 13, wherein said

cancer cell is a cell in an epithelial or mesenchymal tumor.

15. (Previously Presented) The method according to claim 13, wherein said tissue biopsy sample is from a mammal.

16. (Previously Presented) The method according to claim 15, wherein said mammal is a human.

17. (Canceled)

18. (Currently Amended) A method for identifying the presence of a cancer cell comprising: (a) providing a tissue biopsy sample; and (b) determining in the tissue biopsy sample the level of expression of a transcript coding for the protein consisting of the amino acid sequence of SEQ ID NO: 2:

MAAAEGPVGDELWQTWLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFG
LGGELFLWDGEDSSFLVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMV
LELPKRWGKNSEFEGGKSTVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVVLLTSDNVIRIYSLR
EPQTPTNVILSEAEESLVLNKGGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYILYEN
GETFLTYISLLHSPGNIWKAVGSIAHASAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVVLEGE
EEDDHTSEKSWDSRIDLIPSLYVFECVELELALKLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAG
VHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICI
TSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIA
PPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKQLEDLSYCREERKSLREMAERLAD
KYEEAKEKQEDIMNRMKKLLHSFSELPVLSDSERDMKKELQLIPDQLRHLGNAIKQVTMKKDYQQQ
KMEKVLSLPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF

that is detectable with the monoclonal antibody deposited under DSM ACC 2457,
which binds to the protein, wherein the step of (b) is performed by exposing the sample to an
oligonucleotide that is complementary in sequence to the transcript encoding the protein,
wherein the tissue biopsy sample comprises a cancer cell if the level of expression of the
transcript is greater than the level of that transcript in healthy or normal control tissue. The
method of claim 13, wherein the step of determining the level of expression of said protein
consisting of said amino acid sequence comprises annealing of a nucleic acid binding
molecule specifically to a nucleic acid transcript encoding said protein.

19.-22. (Canceled)

23. (Currently Amended) A ~~diagnostic~~ kit for diagnosing cancer, comprising the monoclonal antibody deposited under DSM ACC 2457, which ~~a protein-binding molecule,~~ wherein ~~the protein-binding molecule~~ binds to the protein consisting of the amino acid sequence (SEQ ID NO: 2):

MAAAEGPVGDELWQTLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFG
LGGELFLWDGEDSSFLVVRRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMV
LELPKRWGKNSEFEGGKSTVNCSTTPVAERFFTSSTSLTKHAAWYPSEILDPHVLLTSDNVIRIYSLR
EPQTPTNVIIILSEAEESLVLNKGGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYEN
GETFLTYISLLHSPGNIWKA VGSIHASAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVVLEGE
EEDDHTSEKSWDSRIDLIPSLYVFECVELELALKLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAG
VHSVGLTWIHKLHKFLGSDEEDKDLSLQELSTEQKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICI
TSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIA
PPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKKQLEDLSYCREERKSLREMAERLAD
KYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHLGNAIKQVTMKKDYQQQ
KMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

24. (Currently Amended) ~~The A diagnostic~~ kit of claim 23, further comprising a nucleic acid that binds, ~~wherein the nucleic acid anneals specifically~~ to a nucleic acid transcript that encodes the protein consisting of the amino acid sequence (SEQ ID NO: 2):

MAAAEGPVGDELWQTLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFG
LGGELFLWDGEDSSFLVVRRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMV
LELPKRWGKNSEFEGGKSTVNCSTTPVAERFFTSSTSLTKHAAWYPSEILDPHVLLTSDNVIRIYSLR
EPQTPTNVIIILSEAEESLVLNKGGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYEN
GETFLTYISLLHSPGNIWKA VGSIHASAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVVLEGE
EEDDHTSEKSWDSRIDLIPSLYVFECVELELALKLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAG
VHSVGLTWIHKLHKFLGSDEEDKDLSLQELSTEQKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICI
TSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIA
PPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKKQLEDLSYCREERKSLREMAERLAD
KYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHLGNAIKQVTMKKDYQQQ
KMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

25. (Currently Amended) The kit of claim 23 further comprising a control protein sample, which comprises ~~in whole or in part,~~ the protein consisting of the ~~the~~ [[said]] amino acid

sequence depicted in SEQ ID NO: 2 or an antigenic part thereof, ~~for use as a control sample.~~

26.-29. (Canceled)

30. (New) A method for identifying the presence of a cancer cell comprising (a) providing a tissue biopsy sample; and (b) determining the level of expression in the tissue biopsy sample of a protein consisting of the amino acid sequence depicted in SEQ ID NO: 2 using at least one of (i) a monoclonal antibody and (ii) a recombinant or chimeric molecule that comprises at least six CDRs of the monoclonal antibody bearing the accession number DSM ACC 2457, which binds to the protein, wherein the tissue biopsy sample comprises a cancer cell if the expression level of the protein is determined to be greater than the expression level of that protein in healthy or normal control tissue.